

**FAUQUIER COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
OFFICE OF ZONING, PERMITTING, AND INSPECTIONS
(540) 347-8789**

DATE: October 8, 2008

TO: Holly Meade, Senior Planner

FROM: Kimberley Johnson, Zoning Administrator

PINS: 6982-98-7086, 6982-97-5456, 6983-81-0145

ZONING: RA

PROPOSAL: SPEX09-CR-002, Category 5: Outdoor Technical Training
SPEX09-CR-003, Category 11: Government Facilities

CASE: County Public Safety Training Facility (Range and Burn Building)

At the September 29, 2008 public hearing on the proposed Safety Training facility adjacent to the Landfill, an issue was raised by speakers regarding the appropriate classification of the proposed firing range under the Zoning Ordinance. The County's application for a Public Safety Training facility to include a burn building, firing range and future classrooms has been classified under Section 3-311.16 (Category 11: Public and Quasi Public Uses, Government Facilities) and Section 3-305.5 (Category 5: Educational Uses, Outdoor Technical Training) special exception. Speakers suggested that the use should have been categorized under Section 3-309.3 (Category 9: Outdoor Recreation, Firing Range, Skeet or Trapshooting).

The application is properly being processed under the 3-311.16 and 3-305.5 classifications. The firing range use does not qualify for approval pursuant to Section 3-309.3, the Outdoor Recreation category, because the purpose of the range is not recreational and the "Firing range, skeet, trapshooting facility" under Category 9 is limited to recreational uses. This very issue previously arose in conjunction with the planned development of a private training range in the County in 2004. In that case, the applicant attempted to process the training range as a special permit under Section 3-309.3 of the Zoning Ordinance, and the application was rejected by the Zoning Administrator upon a finding that a training range was properly processed under Section 3-305.5, Outdoor Technical Training. The 2004 determination on this issue was challenged by the applicant, and the Zoning Administrator's determination regarding the proper classification of a training range under Section 3-305.5 of the Zoning Ordinance was upheld by the Board of Zoning Appeals on January 6, 2005.

The minimum lots size for an outdoor technical school under the Zoning Ordinance standards for the use is 5 acres (Section 5-505.1). The 50 acre minimum standard for recreational ranges (Section 5-904.1) does not apply to the training range, and the acreage of the parcels involved was not considered in making a determination as to which category applies to this use under the Zoning Ordinance. In any case, the County has applied for the permit over three parcels comprising a total of 244.0493 acres.